

REMARKS

Claims 10 and 17 are amended, and new claims 33-37 are added to claim the invention in alternative language. Claims 1-37 remain for consideration and are thought to be allowable over the cited art.

The Office Action fails to establish that claims 1-30 are unpatentable under 35 USC §103(a) over US patent 6,701,513 to Bailey ("Bailey") in view of US patent 6,735,759 to Yamamoto et al. ("Yamamoto"). The rejection is respectfully traversed because the Office Action fails to show that all the limitations are suggested by the references, fails to provide a proper motivation for modifying the teachings of Bailey with teachings of Yamamoto, and fails to show that the combination could be made with a reasonable likelihood of success.

As to the limitations of the claims, the Office Action does not show a suggestion of the limitations, including, for example: responsive to a query of one of said at least one linked element of the computer program, displaying a corresponding implementation instruction for said queried element in said user interface, as shown in claim 1.

The Office Action acknowledges that Bailey neither teaches nor suggest these limitations, but alleges that Yamamoto does. However, the cited FIG. 2 of Yamamoto merely illustrates the Java statements that may be used to create "Ok" and "Cancel" buttons (col. 1, ll. 48-59). Yamamoto's FIG. 2 does not illustrate nor does the accompanying text describe any query of an element of the program code. Furthermore, there is no suggested displaying of information that is in response to the query. Yamamoto's FIG. 2 serves to illustrate the code that creates buttons; no mention is made of displaying implementation instructions for a queried element of the program code. Further still, Yamamoto's FIG. 2 does not show implementation instructions associated with program code; Yamamoto's FIG. 2 shows user interface buttons created by program code.

The Office Action further fails to show a suggestion of the limitations related to the implementation instructions that are linked to program code elements. For example, claim 8 indicates that the implementation instructions may be program code comments, modified program code, a code execution directive, a compilation directive, or an assembly directive. None of the cited teachings of Bailey suggest these limitations. Furthermore, Bailey teaches generating program code for insertion into an application program, not annotating the code.

In Bailey's system, the user selects icons for including the interface under development (col. 9, l 55); the designer sets the properties of a selected object in a properties window (col. 15, l. 50); the designer makes connections between the selected icons (col. 16, ll. 5-38); and Bailey's tool generates program code to implement the icons in response to the designer linking the icons (col. 17, l. 40-52). There is no apparent teaching of the claimed implementation instructions, including for example, comments and compilation directives.

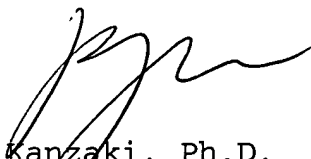
The alleged motivation suggests that "it would have been obvious ... to improve the teachings of Bailey with the teachings of Yamamoto in order to easily modify and edit the software program." It is respectfully submitted that this alleged motivation is conclusory and lacks evidence to support the conclusion. For example, the Office Action does not provide any evidence that Bailey's program development environment impedes easily modifying and editing a software program. Furthermore, the Office Action provides no evidence that the software in Bailey's environment could be more easily modified and edited with the alleged modification. The alleged motivation lacks supporting evidence, is conclusory, and therefore, improper.

The rejection of claims 1-30 over the Bailey-Yamamoto combination should be withdrawn because the Office Action fails to show all the limitations are suggested by the combination, fails to provide a proper motivation for combining the references, and fails to show that the combination could be made with a reasonable likelihood of success.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Amendments and Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

Respectfully submitted,



Kim Kanzaki, Ph.D.
Attorney for Applicant
Reg. No.: 37,652
(408) 879-6149

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patent, P.O. Box 1450, Alexandria, Virginia 22313-1450, on September 15, 2004.

Pat Slaback

Name

Signature

